

<b>UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY</b>	
<b>RAS Crane, LLC</b> 10700 Abbott's Bridge Road, Suite 170 Duluth, GA 30097 Telephone Number 470-321-7112 Attorneys For Secured Creditor <b>MTGLQ Investors, L.P.</b>  Laura Eggerman, Esq. LE-8250	CASE NO.: 18-34274-RG  CHAPTER 13
<b>In Re:</b>  <b>Lesley Leslie,</b>  <b>Debtor.</b>	

**OBJECTION TO CONFIRMATION OF DEBTOR'S CHAPTER 13 PLAN**

MTGLQ Investors, L.P. ("Secured Creditor"), by and through its undersigned counsel, objects to confirmation of Debtor's Chapter 13 Plan (DE # 10), and states as follows:

1. Debtor, Lesley Leslie ("Debtor"), filed a voluntary petition pursuant to Chapter 13 of the Bankruptcy Code on December 10, 2018.
2. Secured Creditor holds a security interest in the Debtor's real property located at 617-619 Stuyvesant, Irvington, NJ 07111, by virtue of a Mortgage recorded on November 27, 2006 in Book 12002, at Page 3571 of the Public Records of Essex County, NJ. Said Mortgage secures a Note in the amount of \$360,000.00.
3. The Debtor filed a Chapter 13 Plan on December 26, 2018.
4. The Plan includes payments toward the Note and Mortgage with Secured Creditor; however, the figures used by the Debtor are inaccurate. It is anticipated that Secured Creditor's claim will show the pre-petition arrearage due Secured Creditor is \$190,638.29, whereas the Plan proposes to pay only \$185,000.00. Therefore, the Plan is not in compliance with the requirements of 11 U.S.C. §§ 1322(b)(3) and 1325(a)(5) and cannot be confirmed. Secured Creditor objects to any plan which proposes to pay it anything less than \$190,638.29 as the pre-petition arrearage over the life of the plan.

5. Debtor's Plan evidences an intent to seek mortgage modification with Secured Creditor. Thus far, loan modification has not been offered or approved. Debtor is obligated to fund a Plan which is feasible to cure the arrears due to the objecting creditor within a reasonable time pursuant to 11 U.S.C § 1322(b)(5). Therefore, in the event that any loss mitigation efforts are not successful, the plan fails to satisfy the confirmation requirements of 11 U.S.C § 1325(a)(1).

**WHEREFORE**, Secured Creditor respectfully requests this Court sustain the objections stated herein and deny confirmation of Debtor's Plan, and for such other and further relief as the Court may deem just and proper.

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By: /s/Laura Egerman  
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**CERTIFICATION OF SERVICE**

1. I, Laura Egerman, represent MTGLQ Investors, L.P. in this matter.
2. On 2/1/2019, I caused a copy of the following pleadings and/or documents to be sent to the parties listed in the chart below.
3. I certify under penalty of perjury that the above documents were sent using the mode of service indicated.

2/1/2019

RAS Crane, LLC  
Attorney for Secured Creditor  
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Telephone Number 470-321-7112

By: /s/Laura Egerman  
Laura Egerman, Esquire  
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<b><u>Name and Address of Party Served</u></b>	<b><u>Relationship of Party to the Case</u></b>	<b><u>Mode of Service</u></b>
Donald C. Goins Goins & Goins, L.L.C. 323 Washington Avenue Elizabeth, NJ 07202	Attorney for Debtor	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified Mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other <hr/> (as authorized by the court*)
Lesley Leslie 412 S. 19th Street, Fl 2 Newark, NJ 07103	Debtor	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified Mail/RR <input type="checkbox"/> E-mail <input type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other <hr/> (as authorized by the court*)
Marie-Ann Greenberg Chapter 13 Standing Trustee 30 Two Bridges Rd Suite 330 Fairfield, NJ 07004	Trustee	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified Mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other <hr/> (as authorized by the court*)
U.S. Trustee Office of the US Trustee One Newark Center Ste 2100 Newark, NJ 07102	U.S. Trustee	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified Mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other <hr/> (as authorized by the court*)